

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

FILED  
July 16, 2007

No. 07-1254  
3:06-cv-00257-CMC

JERRY WHITLEY, as Personal Representative of the Estate of  
Carol Whitley

Plaintiff - Appellee

v.

CAROLINA CARE PLAN INCORPORATED

Defendant - Appellant

---

O R D E R

---

Appellant has filed a consent motion to dismiss.

The Court dismisses this appeal, upon such terms as have been agreed to by the parties, pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure. The Clerk of this Court will issue a certified copy of this order to the Clerk of the District Court as and for the mandate.

For the Court - By Direction

/s/ Patricia S. Connor

---

CLERK

A True Copy, Teste:

Patricia S. Connor, Clerk

BY Diane Burke

Deputy Clerk

UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

FILED  
July 16, 2007

No. 07-1254  
3:06-cv-00257-CMC

JERRY WHITLEY, as Personal Representative of the Estate of  
Carol Whitley

Plaintiff - Appellee

v.

CAROLINA CARE PLAN INCORPORATED

Defendant - Appellant

-----  
M A N D A T E  
-----

This Court's order of dismissal pursuant to Rule 42(b) of  
the Federal Rules of Appellate Procedure takes effect this date.

A certified copy of the dismissal order is issued herewith  
and constitutes the mandate of this Court.

/s/ Patricia S. Connor  
-----  
CLERK

A True Copy, Teste:

Patricia S. Connor, Clerk

BY Diane Burke

Deputy Clerk